

TEMPORARY
AMENDED

No. 74234T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office APR 20 2006

Returned to applicant for correction MAY 17 2006

Corrected application filed JUN 06 2006

Map filed JUN 06 2006

The applicant **Newell Mills, Trustee for the Newell and Bebe Mills Family Trust** hereby make application for permission to change the **Place of use of a portion** of water heretofore appropriated under **Truckee-Carson Irrigation District Serial No. 391, 71-1, 70A, & 70 United States of America vs. Orr Ditch Co. in Equity No. A-3 Claim No., 3; United States of America vs. Alpine Land and Reservoir Co. No. D-183, both in Federal District Court of Nevada and a portion of permit No. 47839**

1. The source of water is **Truckee and Carson Rivers**
2. The amount of water to be changed **22.0 04.5= 99.00 & 27.65 @ 3.5 = 96.775 = 195.775 a/f total**
3. The water to be used for **As decreed**
4. The water heretofore permitted for **As decreed**
5. The water is to be diverted at the following point **Lahontan Dam being within the SW¼ SE ¼ Section 33 Township 19 North Range 26 East, M.D.B.&M.**
6. The existing permitted point of diversion is located within **No Change**
7. Proposed place of use **SW NE Section 4, T18N., R28E., M.D.B.&M. 36.20 ac NW NE Section 4, T18N., R28E, M.D.B&M. 19.73 ac**
8. Existing place of use **SW NW Section 12, T19N., R27E., M.D.B&M. -22.00 ac (4.5 a/f duty)
SE NW Section 4, T18N, R28E, MDB&M-9.10 Ac
(.79 ac fr. 47839)-NE NW Section 4, T18N, R28E, MDB&M 4.35 Ac
NW NE Section 4, T18N, R28E, MDB&M .90 Ac
SW NE Section 32, T18N R28E, MDB&M 4.70 Ac
SE NE Section 32 T18N, R28E,MDB&M 8.60 Ac**
9. Use will be from **March 15, 2006** to **November 15, 2006** of each year.
10. Use was permitted from **As decreed** to **As decreed** of each year.
11. Description of proposed works **Dams, Canals, & Ditches**
12. Estimated cost of works **Complete**
13. Estimated time required to construct works **Complete**
14. Estimated time required to complete the application of water to beneficial use **N/A**

15. Remarks: Note: This application stacks water right on decreed water, Land and decreed water purchased by USFW and the decreed water will not be delivered in place.

By Newell & Bebe Mills Family Trust
s/ Newell Mills
4675 Sheckler Rd.
Fallon, NV 89406

Compared sc/ akl It/ gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit, to change the place of use of a portion of the waters of the Truckee and Carson Rivers as set forth in the Truckee and Carson River final decrees and as set forth under a portion of Permit 47839 which changed the place of use of a portion of the Newlands Reclamation Project rights in the Truckee and Carson River final decrees, is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on November 15, 2006 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

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The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 195.775 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A - Temporary

Proof of completion of work shall be filed on or before:

N/A - Temporary

Water must be placed to beneficial use on or before:

N/A - Temporary

Proof of the application of water to beneficial use shall be filed on or before:

N/A - Temporary

Map in support of proof of beneficial use shall be filed on or before:

N/A - Temporary

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 12th day of July, A.D. 2006

Tracy T. Taylor, P.E.
State Engineer